

# INSTRUCTIONS FOR COMPLETING "PETITION FOR APPOINTMENT OF CONSERVATOR"

**Please type or print neatly in black or blue ink.** Items A through S must be read and filled in (when required) before your petition can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- (A)** Enter the name of the individual who you believe needs a conservator.
- (B)** Enter your name in the first line. Enter your relationship to the individual (or your interest) in the second line.
- (C)** Enter the date the individual was born; what county the individual is a resident of; the address of the place where the individual normally lives, and the county the individual's property is in.
- (D)** Check this box if there is or has been a case in the family division of the circuit court involving the individual in **(A)**. Examples of a family division case are personal protection, abuse or neglect, or a name change. If you have checked this box, enter the name of the court, the case number of the action, the name of the judge assigned to that case. Then place a check in the box indicating whether that case is still pending or not.
- (E)** Check the boxes that apply and provide the name(s) and address(es). If the individual has a power of attorney and you have a copy of the document, make a copy for the court.
- (F)** Check the boxes that you believe apply to the individual.
- (G)** **Explain in as much detail as possible** the specific facts about the individual's conduct or condition that lead you to believe he or she needs a conservator. Give specific examples of his or her conduct that supports what you checked in **(F)** and that demonstrate the need for a conservator. **This information is extremely important for the court in making a decision about the need to appoint a conservator.** If you are the guardian asking for authority to sell or otherwise dispose of your ward's real property, state the reasons why it is in the ward's best interest to do so.
- (H)** Specify the approximate value of any real property, personal property, insurance, and monthly income of the individual. An example of real property is a house. Examples of personal property are home furnishings, bank accounts, and checking accounts.
- (I)** Check whether the individual is currently receiving benefits from governmental agencies and the amount(s).
- (J) - (K)** Check all the boxes that apply and enter the names, relationships, addresses and telephone numbers of each relative of the individual. If any of the adults named in **(J)** are under legal incapacity, enter the names in **(K)**.
- (L)** Enter the address where the individual is currently located. This address may or may not be the home of the individual. For example, if the individual is currently in the hospital, enter the name and address of the hospital.
- (M)** If there is an emergency that requires that a preliminary protective order be entered before the hearing, enter the reason(s).
- (N)** Enter the name, address, and telephone number of the person you want to be appointed as conservator of the individual. Enter the relationship, if any, that this person has to the individual. If you are the guardian asking for authority to sell or otherwise dispose of your ward's real property, leave this blank and complete **(Q)**.
- (O)** Check this box only if you checked **(M)**.
- (P)** Check this box if you want the individual's property protected but you do not want a conservator appointed.
- (Q)** Check this box if you want the the guardian appointed special conservator to dispose of real property.
- (R)** Enter today's date, sign your name, and enter your address and telephone number.
- (S)** If the individual wants to nominate someone to be the conservator, check the box and enter the name, address, and telephone number of the person the individual is nominating. The individual must sign and date the form.

<b>STATE OF MICHIGAN</b> <b>PROBATE COURT</b> <b>COUNTY</b> <b>CIRCUIT COURT - FAMILY DIVISION</b>	<b>PETITION FOR</b> <input type="checkbox"/> <b>APPOINTMENT OF CONSERVATOR</b> <input type="checkbox"/> <b>PROTECTIVE ORDER</b>	<b>FILE NO.</b>
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- (A)** Estate of \_\_\_\_\_ **XXX-XX-**  
Individual alleged to need protection Last four digits of SSN
- (B)** 1. I, \_\_\_\_\_, am interested in this matter  
Name  
 and make this petition as \_\_\_\_\_.  
State interest/relationship
- (C)** 2. The individual was born \_\_\_\_\_, resides in \_\_\_\_\_ County  
Date  
 at \_\_\_\_\_  
Address  
 \_\_\_\_\_ and has property in \_\_\_\_\_ County.  
City, state, zip
- (D)** ☐ 3. An action within the jurisdiction of the family division of circuit court involving the family or family members of the above individual has been previously filed in \_\_\_\_\_ Court, Case Number \_\_\_\_\_, was assigned to Judge \_\_\_\_\_, and ☐ remains ☐ is no longer pending.
- (E)** 4. The individual has ☐ a power of attorney (specify name and address below):  
☐ a guardian (specify name and address below):  
☐ a representative payee for social security (specify name and address below):
- \_\_\_\_\_  
Name and address
- (F)** 5. ☐ a. The individual is an adult unable to manage his/her property and business affairs effectively due to:  
☐ mental illness ☐ chronic use of drugs ☐ detention by a foreign power  
☐ mental deficiency ☐ chronic intoxication ☐ disappearance  
☐ physical illness or disability ☐ confinement ☐ \_\_\_\_\_  
 and either:  
☐ the adult has property that will be wasted or dissipated unless proper management is provided.  
☐ the adult or his/her dependents are in need of money for support, care, and welfare and protection is necessary to obtain or provide money.
- ☐ b. The adult petitioner is mentally competent but due to age or physical infirmity is unable to manage his/her property and affairs effectively, and recognizing the disability, requests the appointment of a conservator.
- ☐ c. The individual is a minor who:  
☐ owns money or property that requires management or protection that cannot otherwise be provided.  
☐ has or may have business affairs that may be jeopardized or prevented by minority.  
☐ needs money for support and education and that protection is necessary or desirable to obtain or provide money.
- ☐ d. I am the guardian of the ward and it is in the ward's best interests to sell or otherwise dispose of the ward's real property or interest in real property.
- (G)** 6. The statements in item 5. are supported by the following facts: \_\_\_\_\_  
(Attach a separate sheet if more space is needed.)
- \_\_\_\_\_  
 \_\_\_\_\_

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**H** 7. The individual to be protected has an estate of the approximate value as follows:

\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_  
Real property Personal property Insurance Monthly income

**I** 8. The individual to be protected is receiving benefits from governmental agencies as follows:  
☐ Social Security \$ \_\_\_\_\_ . ☐ SSI \$ \_\_\_\_\_ . ☐ Veterans Administration \$ \_\_\_\_\_ , claimant number \_\_\_\_\_ .  
☐ MFIA \$ \_\_\_\_\_ . ☐ Other: \_\_\_\_\_ \$ \_\_\_\_\_ .

**J** 9. The individual to be protected has:  
☐ a spouse whose name and address are listed below.  
☐ child(ren) whose name(s) and address(es) are listed below.  
☐ no living child, but has living parent(s) whose name(s) and address(es) are listed below.  
☐ no spouse, child(ren), or parent(s). The names and addresses of presumptive heirs are listed below.  
☐ none of the above (must notify Attorney General - see instructions for the address for the Attorney General).

NAME	RELATIONSHIP	ADULT/ MINOR	ADDRESS AND TELEPHONE NO.
		<input type="checkbox"/> adult <input type="checkbox"/> minor	
		<input type="checkbox"/> adult <input type="checkbox"/> minor	
		<input type="checkbox"/> adult <input type="checkbox"/> minor	

**K** 10. None of the above named persons is under any legal incapacity except:

\_\_\_\_\_  
Give name, incapacity, and representative of the person, if any

**L** 11. The individual is currently found at \_\_\_\_\_ .  
Address or location

**M** 12. ☐ It is necessary that a preliminary protective order be entered pending the regular hearing because:

\_\_\_\_\_

**I REQUEST:**

**N** 13. ☐ the court appoint \_\_\_\_\_  
Name, address, and telephone no.  
who has priority as \_\_\_\_\_ , as conservator of the estate to be protected.  
Priority relationship

**O** 14. ☐ the court preserve and apply the individual's property pending the appointment of a conservator as follows:

\_\_\_\_\_

**P** 15. ☐ the court enter a protective order that provides \_\_\_\_\_ .

**Q** 16. ☐ the court appoint the guardian as special conservator with authority to sell or otherwise dispose of the ward's real property or interest in real property.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

**R** \_\_\_\_\_  
Date Petitioner address

\_\_\_\_\_  
Petitioner signature City, state, zip Telephone no.

\_\_\_\_\_  
Attorney signature Attorney address

\_\_\_\_\_  
Attorney name (type or print) Bar no. City, state, zip Telephone no.

**S** 17. ☐ **NOMINATION BY PERSON TO BE PROTECTED: I am 14 years of age or older. I nominate as my conservator:**

\_\_\_\_\_  
Name, address, and telephone no.

\_\_\_\_\_  
Date Signature of person to be protected

<b>STATE OF MICHIGAN</b> <b>PROBATE COURT</b> <b>COUNTY</b> <b>CIRCUIT COURT - FAMILY DIVISION</b>	<b>INVENTORY</b>	<b>FILE NO.</b>
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In the matter of \_\_\_\_\_

I, \_\_\_\_\_, \_\_\_\_\_ submit the following  
 Name (type or print) Title

as a complete and accurate inventory of all the assets of the estate and the fair market valuations as of the:

- ☐ date of death (decedent's estate only).  
☐ date of qualification as fiduciary (all other estates).

<b>PERSONAL PROPERTY AND REAL ESTATE</b> (If property has been used to secure a loan, show nature and amount of lien. You may deduct the loan amount from the asset value to determine the estate's interest.) Definitions and instructions for completing the inventory are on the other side of this form.	<b>ESTATE'S INTEREST</b>
<b>TOTAL ASSETS</b>	

I declare under the penalties of perjury that this inventory has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____ Attorney signature		_____ Date	
_____ Attorney name (type or print)		_____ Signature	
_____ Address		_____ Name (type or print)	
_____ City, state, zip		_____ Address	
_____ Telephone no.		_____ City, state, zip	
_____ Telephone no.		_____ Telephone no.	

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<b>STATE OF MICHIGAN</b> <b>PROBATE COURT</b> <b>COUNTY</b> <b>CIRCUIT COURT - FAMILY DIVISION</b>	<b>ACCOUNT OF FIDUCIARY, SHORT FORM</b> <input type="checkbox"/> _____ <b>Annual</b> <input type="checkbox"/> <b>Final</b> <input type="checkbox"/> <b>Interim</b> <small>Number</small>	<b>FILE NO.</b>
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In the matter of \_\_\_\_\_

1. I, \_\_\_\_\_, am the \_\_\_\_\_  
Name Title  
of the estate and submit the following as my account, which covers the period from \_\_\_\_\_  
Month, day, year  
to \_\_\_\_\_ (may not exceed 12 months).  
Month, day, year

COLUMN 1. INCOME AND OTHER RECEIPTS		COLUMN 2. EXPENSES AND OTHER DISBURSEMENTS	
	\$		\$
<b>Total Column 1</b>		<b>Total Column 2</b>	
(enter on line 2b on page 2)		(enter on line 2d on page 2)	

SEE SECOND PAGE

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2. a. Balance on hand from last account (or value of inventory, if first account) ..... \$ \_\_\_\_\_
- b. Enter Total Column 1 (Income and Other Receipts) from the other side of this form ..... \$ \_\_\_\_\_
- c. **Subtotal** (add line 2a to line 2b and enter the amount here) ..... \$ \_\_\_\_\_
- d. Enter Total Column 2 (Expenses and Other Disbursements) from the other side of this form ..... \$ \_\_\_\_\_
- e. Balance of assets on hand (subtract line 2d from line 2c and enter the amount here) ..... \$ \_\_\_\_\_  
 This line must equal the last line in item 3. (itemize assets below)
3. The balance of assets on hand are:

ITEMIZED ASSETS REMAINING AT END OF ACCOUNTING PERIOD	
	\$
Total balance on hand. This line must equal the last line in item 2.	\$

Note: You must provide copies of financial institution statements for all liquid assets, dated within 30 days of the end of the accounting period, verifying the assets listed above.

4. The interested persons, addresses, and their representatives are identical to those appearing on the initial application/petition, except as follows: (for each person whose address changed, list the name and new address; attach separate sheet if necessary)

5. This account lists all income and other receipts and expenses and other disbursements that have come to my knowledge.
6. ☐ This account is not being filed with the court.
7. ☐ My fiduciary fees incurred during this accounting period (including fees that have already been approved and paid for this accounting period) are \$ \_\_\_\_\_. Attached is a written description of the services performed.
8. ☐ Attorney fees incurred during this accounting period (including fees that have already been approved and paid for this accounting period) are \$ \_\_\_\_\_. Attached is a written description of the services performed.

I declare under the penalties of perjury that this account has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney signature

\_\_\_\_\_  
Fiduciary signature

\_\_\_\_\_  
Attorney name (type or print) Bar no.

\_\_\_\_\_  
Fiduciary name (type or print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, state, zip Telephone no.

\_\_\_\_\_  
City, state, zip Telephone no.

**NOTE:** If the decedent died before October 1, 1993, you must attach proof of inheritance tax paid. If the decedent died between October 1, 1993 and December 31, 2004, you must attach proof of estate tax paid. If the decedent died on or after January 1, 2005, there is no Michigan estate tax or inheritance tax.

For accounts that must be filed with the court.

**NOTICE TO INTERESTED PERSONS**

1. You must bring to the court's attention any objection you have to this account. The court will not review the account otherwise.
2. You have the right to review proofs of income and disbursements at a time reasonably convenient to the fiduciary and yourself.
3. You may object to all or part of an accounting by filing a written objection with the court before the court allows the account. You must pay a \$20.00 filing fee to the court when you file the objection. (See MCR 5.310[C])
4. If an objection is filed and is not otherwise resolved, the court will conduct a hearing on the objection.
5. You must serve the objection on the fiduciary or his/her attorney.

## DEFINITIONS AND INSTRUCTIONS FOR COMPLETING THE INVENTORY:

- **Real property** means land including a building or house that is built on the land.
- **Personal property** means everything that a person owns except real property. Personal property includes bank accounts and checking accounts.
- **If value of real or personal property is determined by an appraisal**, include appraiser's name and address and a description of property appraised.
- **For conservatorships and guardianships, property that the protected person owns jointly or in common with others** must be listed along with the type of ownership.

1. When listing real property, provide the legal description of the property and the name of any other owner.
2. When listing personal property, provide enough detail to adequately determine the value. Some things should be listed separately and some things should be combined under one category.

Examples of things that should be listed and valued separately are:

- Automobiles
- Jewelry
- Bank accounts
- Antiques
- Furniture
- Any other individual item of high value (such as a fur coat)

Examples of things that can be listed in categories are:

- Household items such as dishes, flatware, curtains, linens, utensils, clothing, furnishings, etc. can be grouped into several categories or combined into one category.
- Multiple copies or pieces of a specific item that have the same value such as stocks and bonds.



## IMPORTANT NOTICE REGARDING INVENTORY

documents must be typewritten, printed or legibly  
written preferably with **BLACK INK**

1. The legal description of **real estate** must be included on the inventory. Street address or parcel number alone is **NOT** sufficient.
2. To **value real estate** you may: a) double the SEV (State Equalized Value) and attach a copy of a tax bill for the **Year of Death or Date of Qualification**; or b) provide a written appraisal showing value at date of death or date of qualification; or c) provide a seller's statement showing sales price if sold within one year of the date of death.
3. For closely held corporation stock, partnerships, sole proprietorships, etc., you must provide a written verification of the estate's interest, such as the buy-sell agreement, stock quotes, or other documentation to establish value.
4. Appraisals for automobiles, furniture, and other personal property are now required. Printed internet valuation is acceptable.
5. In a conservatorship, property held by the ward alone or jointly with others must be shown on the inventory.
6. A copy of the financial institution's statement as of the date of qualification of the conservator or date of death in a decedent's estate must be provided for any liquid assets, such as bank accounts.

**You are encouraged to file the required supporting documentation with the inventory. If you do not, you may delay the processing of the estate. If requesting copies or forms to be returned, you must provide a self-addressed, stamped envelope.**

**Please direct any questions to your attorney.**

The following websites may assist you in determining value. Most public libraries have computers available to the public.

<b>BONDS:</b>	<a href="http://www.publicdebt.treas.gov">www.publicdebt.treas.gov</a>
<b>SEV:</b>	access the city/township's website
<b>VEHICLE VALUE:</b>	<a href="http://www.kbb.com">www.kbb.com</a> or <a href="http://www.edmunds.com">www.edmunds.com</a>
<b>SOCIAL SECURITY DEATH INFORMATION:</b>	<a href="http://ssdi.genealogy.rootsweb.com">http://ssdi.genealogy.rootsweb.com</a>
<b>VERIFY STOCK VALUES:</b>	<a href="http://www.marketwatch.com">www.marketwatch.com</a>

### **Other available websites:**

[www.macombcountymi.gov/probatecourt/index.asp](http://www.macombcountymi.gov/probatecourt/index.asp)

Provides links, forms, and other information

[www.michbar.org/generalinfo/libraries](http://www.michbar.org/generalinfo/libraries)



## HOW TO PREPARE AN ACCOUNT

As a Special Conservator or Conservator for either a minor or adult, you have specific obligations regarding the handling of their assets. You must file an Inventory, within 56 days of your appointment as Conservator, with verification of the value of the assets listed.

Each year thereafter, you must file an Account of Fiduciary within 56 days of the anniversary date of your appointment. The account must reflect (1) income received by the estate, (2) all expenses and disbursements made, and (3) a list of the remaining assets and their values.

Please be aware of the following requirements:

1. The maximum accounting period is twelve (12) months.
2. The starting figure for the first account is the inventory balance. Subsequent accounts start with the ending balance from the prior year's account.
3. All income must be verified. Electronic transfers reflected on bank statements and bank deposit slips are acceptable. Notations made on statements, check registers, etc., are NOT proof of income.
4. All expenses and disbursements must also be verified. Cancelled checks or paid receipts are acceptable. Copies of **cancelled** checks will be accepted as will duplicate checks and carbon copy checks if they can be cross referenced to the bank statement. Some local banks offer copies of cancelled checks on the internet. Notations made on statements, check registers, etc., are NOT proof of payment.
5. Recurring payments of income and expenses must be grouped by category, e. g., Social Security income or pension income, nursing home costs, utilities, etc.
6. Cash disbursements will not be allowed without receipts.
7. The beginning balance, plus income, less expenses, must equal the total assets remaining for the accounting period.
8. Assets remaining at the end of the accounting period must be itemized. Each asset must be verified by either a copy of the financial institution's statement or a Verification of Funds form completed by the financial institution. Values for real estate, personal items, vehicles, etc., may retain their inventory value unless the asset is disposed of.
9. If there are co-fiduciaries, each must sign the Account of Fiduciary form.
10. If you are requesting fiduciary or attorney fees, they must be listed on the back of the form and a detailed Statement of Services must be attached.

**As a fiduciary, you may be personally liable for any unsubstantiated or improper expenditures. You are not allowed to make a loan to yourself or other parties without prior court approval.**

### HEARING

Accounts in adult conservatorships and minor conservatorships and trusts for minors age 14 or older, must be scheduled for hearing. A copy of the Account of Fiduciary and Notice of Hearing **MUST** be served upon the interested parties, including the adult ward (regardless of mental capacity) and the protected minor. A hearing date will be set at the time the Account of Fiduciary is filed and the filing fee of \$20.00 is paid.

### SERVICE

Service may be completed as follows: (A) If served by mail, at least fourteen (14) days in advance of the hearing. (B) If personally served, at least seven (7) days in advance of the hearing. A Waiver/Consent form, signed by the adult ward or the minor, will **NOT** be accepted.

On the hearing date, you must provide the completed Proof of Service form and an Order Allowing Account form.

You are encouraged to have the Account of Fiduciary checked by the Court Analyst or Court Attorney prior to the hearing date. If your Account of Fiduciary was not checked prior to the hearing date, you may expect a significant delay before your file is called on the hearing day.

Column 1: INCOME		Column 2: EXPENSES	
Bank Checking Account	1,000.00	Medical Expenses	\$4,000
Automobile	2,000.00	Utilities	750
		Food/Groceries	1,000
		Clothing	350
		Personal Hygiene	350
		Property tax	1,000
		Home maintenance	500
		Home insurance	1,750
Total Column 1	\$15,000	Total Column 2	\$9,350

### SECTION 2 OF THE ACCOUNT OF FIDUCIARY FORM

With this information, Section 2 of the Account of Fiduciary form can be completed. Sally begins by taking the value of the inventory and placing that number on the first line of Section 2, so that it appears as indicated below:



## A SAMPLE ACCOUNT OF FIDUCIARY

The following is an example of an account in an adult conservatorship.

### FACTS

Sally Jones has been appointed Conservator of her uncle, James Smith. She has filed the following **Inventory** of her uncle's assets:

PERSONAL PROPERTY AND REAL ESTATE (If property is encumbered, show nature and amount of lien)	ESTATE'S INTEREST
Bank Savings Account	\$ 10,000.00
Bank Checking Account	1,000.00
Automobile	2,000.00
Real Estate – James Smith's residence	100,000.00
TOTAL ASSETS	\$113,000.00

During the course of the next year, Sally managed all of her uncle's financial matters. On the one year anniversary date of her appointment as Conservator, she filed the following annual account:

### SECTION 1 OF THE ACCOUNT OF FIDUCIARY FORM

Sally listed the following information in Section 1 of the **Account of Fiduciary** form:

Column 1. INCOME		Column 2. EXPENSES	
Pension	\$10,000	Medical Expenses	\$4,000
Social Security	5,000	Utilities	750
		Food/Groceries	1,000
		Clothing	250
		Personal hygiene	250
		Property tax	1,000
		Home maintenance	500
		Home insurance	1,750
Total Column 1	\$15,000	Total Column 2	\$9,500

### SECTION 2 OF THE ACCOUNT OF FIDUCIARY FORM

With this information, Section 2 of the Account of Fiduciary form can be completed. Sally begins by taking the *value of the inventory* and placing that number on the first line of Section 2, so that it appears as indicated below:

Balance on hand from last account (or value of inventory if first account).....\$113,000

The next step is to place the total amount in Column 1 on the second line of Section 2, so that it would appear as follows:

Add Total Column 1 (Income and Other Receipts) from the other side of this form.....\$15,000

Then add the figure on line 1 with the figure on line 2 (\$113,000 + \$15,000 = \$128,000) and the total would be placed on the third line as follows:

**Subtotal** of Balance on hand and Total Column 1.....\$128,000

Next, Sally would place the total amount in Column 2 on the fourth line of Section 2, which would appear as indicated below:

Subtract Total Column 2 (Expenses and Other Disbursements) from the other side of this form.....\$9,500

Sally is now prepared to complete Section 2 by subtracting the figure on line 4 from the figure on line 3 (\$128,000 - \$9,500 = \$118,500). The remaining balance would be placed on the fifth line of Section 2 as follows:

Balance of assets on hand (itemize below) This line must equal the last line in item 3.....\$118,500

### SECTION 3 OF THE ACCOUNT OF FIDUCIARY FORM

To complete Section 3 of the Account of Fiduciary form, her uncle's remaining assets and their value are stated below:

#### ITEMIZED ASSETS REMAINING AT THE END OF THE ACCOUNTING PERIOD

Bank Savings Account	\$ 10,000
Bank Checking Account	6,500
Automobile	2,000
Real Estate	100,000
Total balance on hand. This line must equal the last line in item 2	\$118,500

The values of the savings account, automobile and real estate were carried over from the Inventory. Sally used the ending balance as stated in the most recent bank statements regarding the checking and savings accounts. Please note that the total balance on hand (\$118,500) as indicated in Section 3, is the same amount as the balance on hand as indicated on line five of Section 2 (\$118,500).



## HOW TO FILE THE ACCOUNT

Sally is now prepared to file the Account of Fiduciary in the Probate Court.

1. Upon entry into the Wills and Estates Division of the Probate Court, Sally will request her court file from the counter, pay the \$20 filing fee for the account, and obtain her receipt.
2. She will be directed to take the file, receipt and account to the court attorneys and analysts. She will sign in at the podium and, when called, meet with an analyst or court attorney who will review her account.
3. Sally will present bank statements verifying the deposits in the checking account and the bank statement or a Verification of Funds form showing the remaining balances in the checking and savings accounts.
4. Sally will present paid receipts, cancelled checks, etc. to verify each expense and disbursement listed in Section 1, Column 2 of the Account of Fiduciary form. Prior to filing her account, Sally had grouped together and labeled the receipts, cancelled checks, etc. which corresponded to each category listed in the "Expenses" column in Section 1 of the Account of Fiduciary form, and attached an adding machine tape for each category.
5. She will be given a blank Proof of Service form and an Order Allowing Account to fill out, and return to court for the scheduled hearing. Waivers and Consents from interested parties may avoid the need for a hearing. Check with the court when the account is filed as to whether a Waiver and Consent may be used.

## THE HEARING

On the date of the hearing, Sally is required to:

1. Arrive promptly at the Probate Court at the assigned time.
2. Go directly to the court attorney/analyst area and sign in as before. Wait to be called by a court attorney or analyst and provide the information requested.
3. Provide the court attorney or analyst with the completed Proof of Service form and Order Allowing Account.

## NOTICE REGARDING ACCOUNTS FOR ADULTS AND MINORS OVER 14

Due to changes in the law, Annual Accounts for adults and minors who are 14 years of age or older must be scheduled for a hearing. A copy of the Account and Notice of Hearing (with the scheduled date and time) must either be given to (personal service), or mailed to, the minor (14+) or adult ward and any other person(s) entitled to notice (interested parties).

On or before the scheduled hearing date, you must present the Court with a completed Proof of Service form showing how, when, and where the minor, ward, and other parties were served. Personal service must be made at least 7 days before the hearing. Service by mail must be at least 14 days before the hearing.

Hearings are scheduled on Thursdays at 1:30 p.m. You must also bring a completed Order Allowing Account form on the hearing date. Copies of the required forms are enclosed.

### THE PARTIES NOTICED DO NOT HAVE TO APPEAR AT THE HEARING OR SIGN THE PROOF OF SERVICE FORM.

(2/06)

An order within the jurisdiction of the family division of superior court involving the family or family members of the

individual has been previously filed in \_\_\_\_\_ Court, Case Number \_\_\_\_\_

assigned to judge \_\_\_\_\_ and ☐ remains ☐ is no longer ☐ is no longer

4. The individual has ☐ as power of attorney specify name and address below:  
☐ as guardian specify name and address below:  
☐ as representative payee for social security specify name and address below:

#### Reasons for need

5. ☐ The individual is an adult unable to manage his/her property and business affairs effectively due to:  
☐ mental illness ☐ chronic use of drugs ☐ detention by a foreign power  
☐ mental deficiency ☐ chronic intoxication ☐ disappearance  
☐ physical illness or disability ☐ total deafness ☐ \_\_\_\_\_  
and other \_\_\_\_\_  
☐ This adult has property that will be wasted or dissipated unless proper management is provided  
☐ He/she or his/her dependents are in need of money for support, care, and welfare and protection is necessary to obtain or provide money.  
☐ This adult petitioner is mentally competent but due to age or physical infirmity is unable to manage his/her property and affairs effectively, and recognizing the disability, requests the appointment of a conservator.  
☐ The individual is a minor who:  
☐ whose money or property itself requires management or protection that cannot or should not be provided  
☐ who or who have business affairs that may be jeopardized or prevented by minority.  
☐ needs money for support and education and such protection is necessary or desirable to obtain or provide money.  
☐ on the question of the ward and it is in the ward's best interests to sell or otherwise dispose of the ward's property or interest in real property.  
☐ The statements in item 6. are supported by the following facts: \_\_\_\_\_

STATE OF \_\_\_\_\_ NO PAGE

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